

From: Thaddeus J. Beier
To: Microsoft ATR
Date: 1/23/02 9:45am
Subject: Microsoft Settlement

Dear Sir,

I've made my life writing computer applications for the last twenty-five years, and feel that I have to comment on the proposed settlement between the Department of Justice, several of the states, and Microsoft. It must not stand.

I was very encouraged to see Judge Jackson's findings of fact and findings of law. While I wish that he had emphasized the Netscape aspect of the case a little more fully, it was clear that Judge Jackson found that Microsoft had violated the law, repeatedly, and without remorse -- to the significant cost of the American people.

As you no doubt know, these findings of fact and findings of law are still in place, Microsoft's appeal of these findings has failed utterly.

The proposed settlement before you is, simply, a travesty. It does nothing, or next to nothing, to ameliorate the massive abrogations of the antitrust laws that Microsoft perpetrated over the last few years, since the previous agreement with the Justice Department was made. Microsoft has in the past, and will undoubtedly in the future, bent any agreement to the point where it has no meaning or restraint whatsoever.

Any agreement between the government and Microsoft should be exceptionally clear, forthright, and unambiguous. While many feel that Judge Jackson's proposed remedy of splitting the company in two was too radical, I disagree. It is unambiguous and clear, and no amount of legal hair-splitting would prevent that agreement from having the desired effect.

This desired effect is to prevent Microsoft from abusing its monopoly in Operating Systems to infiltrate and dominate other markets. This must be done, one way or another.

Please reject the current settlement. Allow the case to go to trial. Let a judge make the final verdict, in the best interests of the people of the United States, and with due respect to her laws.

Thaddeus Beier
Hammerhead Productions
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